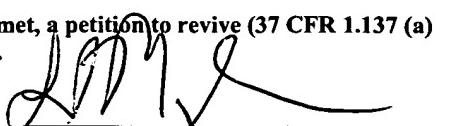


U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE FORM PTO-1390 (REV. 01-2003)		ATTORNEY'S DOCKET NUMBER 2832 (203-3308) U.S. APPLICATION NO. (If known, see 37 CFR 1.5 To Be Assigned 10/517402
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		
INTERNATIONAL APPLICATION NO. PCT/US2003/018739	INTERNATIONAL FILING DATE 11 June 2003	PRIORITY DATE CLAIMED 11 June 2002
TITLE OF INVENTION HERNIA MESH TACKS		
APPLICANT(S) FOR DO/EO/US Christopher J. Criscuolo and Ernie Aranyi		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). </p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). </p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
<p>Items 11 to 20 below concern document(s) or information included:</p> <p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: Return Postcard, Cert. of Express Mail EJ853409686US, International Search Report dated 18 February 2002 with 1 Foreign Cited References, Revocation & Substitute Power of Attorney, Fee Transmittal.</p>		

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) To Be Assigned 107517402	INTERNATIONAL APPLICATION NO. PCT/US2003/018739	ATTORNEYS DOCKET NUMBER 2832 (203-3308)																									
21. <input checked="" type="checkbox"/> The following fees are submitted:		CALCULATIONS PTO USE ONLY																									
BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):																											
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1060.00																											
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$900.00																											
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$750.00																											
International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$720.00																											
International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00																											
ENTER APPROPRIATE BASIC FEE AMOUNT =		\$ 1,100.00																									
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).																											
<table border="1"> <thead> <tr> <th>CLAIMS</th> <th>NUMBER FILED</th> <th>NUMBER EXTRA</th> <th>RATE</th> <th>\$</th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>11 - 20 =</td> <td>0</td> <td>x \$18.00</td> <td>\$</td> </tr> <tr> <td>Independent claims</td> <td>3 - 3 =</td> <td>0</td> <td>x \$84.00</td> <td>\$</td> </tr> <tr> <td>MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>0.00</td> <td></td> <td>+ \$280.00</td> <td>\$</td> </tr> <tr> <td colspan="4">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$ 0.00</td> </tr> </tbody> </table>			CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	Total claims	11 - 20 =	0	x \$18.00	\$	Independent claims	3 - 3 =	0	x \$84.00	\$	MULTIPLE DEPENDENT CLAIM(S) (if applicable)	0.00		+ \$280.00	\$	TOTAL OF ABOVE CALCULATIONS =				\$ 0.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$																							
Total claims	11 - 20 =	0	x \$18.00	\$																							
Independent claims	3 - 3 =	0	x \$84.00	\$																							
MULTIPLE DEPENDENT CLAIM(S) (if applicable)	0.00		+ \$280.00	\$																							
TOTAL OF ABOVE CALCULATIONS =				\$ 0.00																							
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. +																											
SUBTOTAL = \$ 1,100.00																											
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).																											
TOTAL NATIONAL FEE = \$																											
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + \$ 40.00																											
TOTAL FEES ENCLOSED = \$ 1,140.00																											
		Amount to be refunded: \$																									
		charged: \$ 1,140.00																									
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>21-0550</u> in the amount of \$ <u>1,140.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>21-0550</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>																											
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.																											
SEND ALL CORRESPONDENCE TO:																											
TYCO Healthcare Group LP 150 Glover Avenue Norwalk, CT 06856																											
 SIGNATURE Lisa J. Moyles <hr/> NAME 40,737 <hr/> REGISTRATION NUMBER																											

10/517402

DT05 Rec'd PCT/PTO 07 DEC 2004

Attorney Docket: 2832 (203-3308)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Christopher J. Criscuolo, et al

Serial No.: To Be Assigned

Art Unit: To Be Assigned

Filed: Concurrently Herewith

Examiner: To Be Assigned

For: HERNIA MESH TACKS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Mail Stop New Application

CERTIFICATE OF EXPRESS MAILING

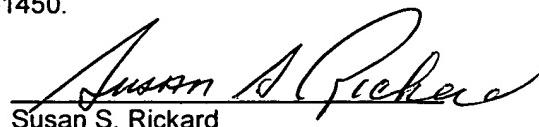
"Express Mail" Mailing Label No.: EJ853409686US

Date of Deposit: December 7, 2004

I hereby certify that the following:

- [x] This Certificate of Mailing
- [x] Patent Application consisting of 16 pages
- [x] 15 sheets of drawings (formal)
- [x] Transmittal Letter (2 pages)
- [x] Fee Transmittal for FY 2004 (1 page)
- [x] Preliminary Amendment (5 pages)
- [x] Combined Declaration & Power of Attorney (4 pages)
- [x] Revocation and Substitute Power of Attorney (1 page)
- [x] Recordation Cover Sheet (1pages)
- [x] Assignment (3 pages)
- [x] Information Disclosure Statement (2 pages)
- [x] Form PCT/IB308
- [x] 1449 with 1 cited reference
- [x] Return Postcard

are being deposited with the United States Postal Services under 37 CFR Section 1/10 on the Date of Deposit indicated above in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EJ853409686US addressed to Mail Stop New Application, U.S. Patent & Trademark Office, PO Box 1450, Alexandria, VA 22202-1450.



Susan S. Rickard

U.S. Surgical, a division of
TYCO HEALTHCARE GROUP LP
150 Glover Avenue
Norwalk, Connecticut 06856
(203) 845-4489

BEST AVAILABLE COPY

10/517402

D Rec'd PCT/PTO 07 DEC 2004
PTO/SB/17 (10-03)Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1,140.00)

Complete if Known

Application Number	To be Assigned
Filing Date	Concurrently Herewith
First Named Inventor	Christopher J. Criscuolo, et al
Examiner Name	To Be Assigned
Art Unit	To Be Assigned
Attorney Docket No.	2832

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

Deposit Account:

Deposit Account Number
21-0550
Deposit Account Name
United States Surgical

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385			Utility filing fee	\$1,100.
1002 340	2002 170			Design filing fee	
1003 530	2003 265			Plant filing fee	
1004 770	2004 385			Reissue filing fee	
1005 160	2005 80			Provisional filing fee	
SUBTOTAL (1)		(\$)			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims below	Fee from	Fee Paid
11	3		-20** = 0	x 18.00	= 0.00
			- 3** = 0	x 86.00	= 0.00
				290.00	

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description
1202 18	2202 9			Claims in excess of 20
1201 86	2201 43			Independent claims in excess of 3
1203 290	2203 145			Multiple dependent claim, if not paid
1204 86	2204 43			** Reissue independent claims over original patent
1205 18	2205 9			** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$)		

*or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	\$40.00
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 40.00)

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Lisa J. Moyles	Registration No. (Attorney/Agent)	40,737	Telephone	(203) 845-1941
Signature		Date			12/7/04

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence and the documents referred to as enclosed are being deposited with the United States Postal Service on date below in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EJ853409686US addressed to: Mail Stop NEW APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated:

12/7/04

Susan S. Rickard